DEPARTMENT OF REGULATORY AGENCIES

Division of Professions and Occupations

3 CCR 716-1

CHAPTER 23

RULES AND REGULATIONS REGARDING THE REPORTING REQUIREMENTS OF SECTION 12-36.5-104(7)(f), SECTION 12-36.5-104.6(2)(b)(II), AND OF THE FEDERAL HEALTH CARE QUALITY IMPROVEMENT ACT OF 1986, AS AMENDED

- **A. BASIS:** The authority for promulgation of rules and regulations by the State Board of Nursing ("Nursing Board") is set forth in sections 24-4-103, 12-36.5-101(1)(a), 12-36.5-104(4), 12-36.5-103(1)(b), 12-36.5-103(3)(a), and 12-36.5-202, C.R.S.
- **B. PURPOSE**: These rules have been adopted by the Nursing Board to clarify reporting requirements so that the Nursing Board is able to effectively and efficiently utilize and allow professional review committees and governing boards, in order to meet the Nursing Board's responsibilities under Colorado Revised Statutes Title 12, Article 36.5. These rules will enable the Nursing Board to more effectively regulate the conduct of the practice of nursing of those individuals licensed under Colorado Revised Statutes Title 12, Article 38 and granted authority as advanced practice nurses by encouraging prompt, accurate, and complete reporting by governing boards of authorized entities ("Authorized Entities") and their professional review committees. Reporting to the Nursing Board is required:
 - 1. As obligated under:
 - a. The federal "Health Care Quality Improvement Act of 1986", as amended as required by section 12-36.5-202, C.R.S.; and
 - b. The Professional Review of Health Care Providers as required by sections 12-36.5-104(7)(f) and 12-36.5-104(9), C.R.S.; and
 - c. The Professional Review of Health Care Providers as required by section 12-36.5-104.6(2)(b)(II), C.R.S.
 - 2. In response to a subpoena issued by the Nursing Board in accordance with section 12-36.5-104(10), C.R.S.
- **C. REPORTING:** In order for an Authorized Entity to be considered in compliance with the reporting requirements of this Rule:
 - 1. Reports required under part (B)(1)(a) and (b) of this Rule, must be submitted to the Nursing Board within thirty (30) calendar days of the reportable

recommendation, finding, or adverse action.

- 2. Reports required under part (B)(1)(c) of this Rule, must be submitted to the Nursing Board no later than the 1st day of March of each year for the information from the preceding calendar year.
- 3. Copies of reports must be sent to the Nursing Board's office by U.S. mail or via electronic mail to the Program Director of the Nursing Board.
- 4. The Nursing Board delegates authority to the Program Director of the Nursing Board to receive the reporting information on its behalf, to compile information required by section 12-36.5-104.6(2)(b)(II), C.R.S. for the Division of Professions and Occupations and to resolve reporting discrepancies and irregularities directly with the reporting entity.

Adopted:

Effective: